



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF

WP-16J

JUL 16 2019

CERTIFIED MAIL 7014 2870 0001 9581 0870
RETURN RECEIPT REQUESTED

Philip Livingston, Manager
Bad River Utilities
P.O. Box 39
Odanah, Wisconsin 54861

Re: Final NPDES Permits
Diaperville Stabilization Lagoon (WI-0036544-5)
Birch Hill Stabilization Lagoon (WI-0036579-5)
Bad River WWTP (WI-0036587-5)

Dear Mr. Livingston:

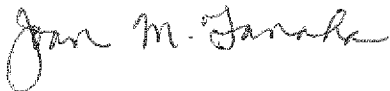
Enclosed please find the final National Pollutant Discharge Elimination System (NPDES) permits which apply to the discharges from the Diaperville Stabilization Lagoon to Hansen Swamp, the Birch Hill Stabilization Lagoon to Birch Hill Swamp and the Bad River WWTP to the Bad River within the boundaries of the Bad River Indian Reservation. We did not receive any comments during the public comment period and no hearing was held or requested. On July 9, 2019 we received an email from Naomi Tillison, the Bad River Band's Natural Resource Director, forwarding the Band's Tribal Council's Clean Water Act Section 401 Water Quality Certifications dated July 3, 2019. The certifications, one for the Bad River WWTF and the other for the Diaperville and Birch Hill Lagoons, came with conditions and are incorporated by reference into the respective permits. The certifications are attached to the final permits. On July 12, 2019 you sent an email stating that you concur with the inclusion of the certifications by reference into the permits.

I encourage you to please study the permits carefully because it expressly requires that certain specific actions be undertaken by Utility personnel at specific times. Further, all discharges from the facilities must be consistent with the terms and conditions of its respective permit. Noncompliance with the permit conditions, such as exceeding the limitations, constitutes a violation of the permit and may bring criminal or civil penalties upon the permittee (see Parts II.A.2.a., b. and c. and II.A.6.).

I note that the NPDES permits require quarterly reporting of several effluent parameters. This quarterly reporting must be completed using Discharge Monitoring Report (DMR) forms, and these forms must be submitted electronically using EPA's DMR database.

Thank you for your efforts to protect water quality. If you have any questions, feel free to contact John Colletti at (312) 886-6106 or at colletti.john@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Joan M. Tanaka".

Joan M. Tanaka
Acting Director, Water Division

Enclosures

cc: Michael Wiggins, Jr., Chairman, Bad River Band of Lake Superior Chippewa Tribe
Naomi Tillison, Natural Resources Director, Bad River Band
Michelle Balk, Natural Resources Basin Supervisor, WDNR-Spooner